

TITLE 11

BUILDINGS AND CONSTRUCTION

Chapters:

- 11.04 Building Permit
- 11.08 Plumbing Code
- 11.12 Electrical Code
- 11.16 Fire Prevention Code
- 11.20 Housing Code
- 11.24 Condemned Structures
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CHAPTER 11.04

BUILDING PERMIT

Sections:

- 11.04.01 Required
- 11.04.02 Application
- 11.04.03 Fees
- 11.04.04 Issuance
- 11.04.05 Penalty
- 11.04.06 Effect

11.04.01 Required. The owner of any land situated within the incorporated limits of the city of Foreman shall neither begin construction nor allow construction to begin, on such land, of any building of a type set forth in the sub-paragraphs (A) through (E) below, without having obtained a building permit from the city of Foreman, Arkansas, for such construction.

- A. Single-family residence.
- B. Multiple-family residence.
- C. Any building in which, or from which, any business, commercial enterprise, or manufacturing process is to be conducted, or which is to be used for related storage or warehousing purposes.
- D. Public utilities.

- E. Any remodeling or renovation which exceeds 50% of the appraised value of the subject structure. (Ord. No. 105, Sec. 1.)

11.04.02 Application. The application for any building permit by this ordinance will be submitted by the land owner concerned to the Mayor of Foreman, Arkansas, at City Hall, in duplicate copy, and shall contain at a minimum the following:

- A. Name, mailing address, and telephone number of the applicant;
- B. Type building to be constructed (as listed in Section 11.04.01 of this ordinance);
- C. Location of the building site;
- D. Outside dimensions of the proposed building;
- E. Construction materials to be used for the foundation, floor, and exterior walls;
- F. Manner in which the proposed building will be anchored to the foundation;
- G. Height of the first floor level above the ground level, as measured from the highest point of the ground level:
 - 1. Prior to any grading or leveling
 - 2. After grading and leveling; and
- H. Date on which construction is proposed to begin.
(Ord. No. 105, Sec. 2.)

11.04.03 Fees. A fee of Five Dollars (\$5.00) will be charged for each building permit issued. Payment of said amount will accompany each permit application submitted, with such payment to be returned in event the application is denied. (Ord. No. 105, Sec. 3.)

11.04.04 Issuance. The Mayor of the city of Foreman, Arkansas, will present each permit application to the City Council of the city of Foreman, Arkansas, for its approval or other disposition at its next regular or called meeting. Any building permit issued under the provisions of this ordinance will remain valid only for a period of ninety (90) days from its date of issue, and become void if construction has not begun within that period, or unless it is renewed within that period. (Ord. No. 105, Sec. 4.)

11.04.05 Penalty Any person receiving written notification from the city of Foreman, Arkansas, that he is in violation of the provisions of this ordinance shall have a period of 30 days following his receipt of such notice in which to effect compliance, or otherwise will upon conviction be subject to a fine of no more than Ten Dollars (\$10.00) per day for so long as he remains in violation. (Ord. No. 105, Sec. 5.)

11.04.06 Effect This ordinance shall be in full force and effect thirty (30) days from and after the passage and publication of this ordinance, and no ordinance or resolution shall be deemed repealed hereby except to the extent of any conflict herewith. (Ord. No. 105, Sec. 6.)

CHAPTER 11.08

PLUMBING CODE

Sections:

11.08.01	Definitions
11.08.02	State code
11.08.03	Inspection and supervision
11.08.04	Application and permits
11.08.05	Bond
11.08.06	Street openings
11.08.07	Cross connections; back flow
11.08.08	Penalties

11.08.01 Definitions Plumbing for the purposes of this ordinance is hereby defined as the definitions of Arkansas Act 200 of 1951 as amended by Act 372 of 1957 and Act 555 of 1963 and the Arkansas State Plumbing Code. (Ord. No. 76, Sec. 1.)

11.08.02 State code The provisions and regulations of the Arkansas State Plumbing code, and amendments thereto, adopted by the State Board of Health of Arkansas are made a part of this ordinance by reference, three certified copies of which shall be on file in the office of the City Clerk, and shall extend over and govern the installation of all plumbing installed, altered or repaired within or without the city of Foreman, Arkansas. Wherever water and/or sewage service originating from the Municipal Water and/or Sewer System is furnished. (Ord. No. 76, Sec. 2.)

11.08.03 Inspection and supervision

- A. There is hereby created the position of Plumbing Inspector or inspectors who shall be employed by the city of Foreman, Arkansas.

- B. The Plumbing Inspector or inspectors shall have experience in plumbing to the extent that enables him to know when plumbing is installed correctly.
- C. The Plumbing Inspector or inspectors shall not be directly connected in any way with any person, firm, corporation, directly or indirectly engaged in the business of plumbing, or plumbing suppliers.
- D. The Inspector shall receive as full compensation for his services, a salary designated by the city of Foreman, Arkansas.
- E. It shall be the duty of the Plumbing Inspector or inspectors to enforce all provisions of this ordinance, and such inspector or inspectors is hereby granted the authority to enter all buildings within or without the corporate limits of the city of Foreman, Arkansas, when such buildings are connected, or to be connected to the municipal water and or sewage system.
- F. The Plumbing Inspector shall prepare or cause to be prepared suitable forms for applications, permits, inspection reports and other such materials.
- G. It shall be the duty of the Plumbing Inspector to inspect and test all plumbing work for compliance with this ordinance and its adopted Plumbing Code, and to enforce changing of such installations that does not meet the requirements. It further shall be his duty to see that all persons installing or altering plumbing shall be qualified by state law. (Ord. No. 67, Sec. 3.)

11.08.04 Applications and permits

- A. Before beginning any work in the city of Foreman, Arkansas, the person installing or altering same, shall apply to the Plumbing Inspector or other designated official and obtain a permit to do such work. Only those person legally authorized to do plumbing may be issued permits. A permit may be issued to a home owner to install or alter plumbing in a single family residence, providing the home owner does the work himself and that the building is owned and occupied by the owner as his home. All such work shall meet the code requirements.
- B. All applications for permits shall be made on suitable forms provided. The application shall be accompanied by fees in accordance with the following schedule:

Plumbing rough-in inspections	\$1.50
Each plumbing fixture and/or water and/or waste discharging devices	.50
New or reconstructed sewer connection	2.00
Each septic tank system	2.00

Hot water heater, new or replaced	1.00
Water service or connection	1.00
For final certificate of inspector	1.50

An additional fee of \$1.50 shall be charged for each additional trip on the part of the Plumbing Inspector, cause by the negligence of the plumber of not being ready for inspection or a return for inspection of a corrected installation. (Ord. No. 67, Sec. 4.)

11.08.05 Bond Every master plumber doing business in the city of Foreman, Arkansas, shall execute and deliver to the city a bond with a surety bonding company in the sum of One Thousand Dollars (\$1,000.00) to indemnify the city or any citizen for any damage caused by the failure of such master plumber to comply strictly with the provisions of this ordinance. No plumbing permit shall be issued to any master plumber unless this bond has been delivered to the city and is in full force and effect. (Ord. No. 67, Sec. 5.)

11.08.06 Street openings

- A. All openings made in the public streets or alleys to install plumbing must be made as carefully as possible and all materials excavated from the trenches shall be removed or placed where the least inconvenience to the public will be caused.
- B. All openings must be replaced in precisely the same conditions as before the excavation started and all rubbish and materials must be removed at once, leaving the street or sidewalks clean and in perfect repair.
- C. All openings shall be marked with sufficient barriers. Flares or red lamps shall be maintained around the opening at night and all other precautions shall be taken by the plumber or excavator to protect the public from damage to person or property. (Ord. No. 67, Sec. 6.)

11.08.07 Cross connections; back flow

- A. The City Water Department of the city of Foreman, Arkansas, and City Plumbing Inspector of the city of Foreman, Arkansas, be and they are hereby authorized to discontinue or cause to be discontinued all water service or services to any and all premises, lands, buildings or structure where it is found that n immediate hazard exists to the purity or potability of the city water supply, by reason of the requirement of the Arkansas State Plumbing Code and the City Plumbing Code and the regulations of the Arkansas State Board of Health having not been complied with.
- B. The City Water Department of the city of Foreman, Arkansas, and the City Plumbing Inspector of the city of Foreman, Arkansas, be and they are hereby

authorized and directed to take such steps as necessary to determine all potential hazards to the purity or potability of the city water supply which exists. Upon determining said potential hazards it shall be the duty of said department and said inspector to immediately cause notice to go to the owner or such other person responsible for said premises, specifying said hazards, and notifying said person that in the event that said hazard is not corrected within thirty (30) days from the date of said notice, all water services shall be discontinued thereafter until the requirements of the Arkansas State Plumbing Code, and the regulations of the Arkansas State Board of Health have been complied with. (Ord. No. 67, Sec. 7.)

11.08.08 Penalties Any person, firm or corporation found guilty of violating any of the provisions of this ordinance shall be subject to a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00), together with the costs of such prosecution. Each day during which violation continues shall be a separate offense. (Ord. No. 67, Sec. 8.)

CHAPTER 11.12

ELECTRICAL CODE

Sections:

- 11.12.01 Adoption of Electrical Code
- 11.12.02 Appointment of the Inspector
- 11.12.03 Duties
- 11.12.04 Permits
- 11.12.05 Penalties
- 11.12.06 License to individual

11.12.01 Adoption of Electrical Code. There is hereby adopted by the city of Foreman for the purpose of establishing rules and regulations for the construction, alteration, removal and maintenance of electric wiring and apparatus, including permits and penalties, that certain electrical code known as the National Electrical Code Standard of the National Board of Fire Underwriters, being particularly the 1965 edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified, or amended, of which not less than three (3) copies have been and are now filed in the office of the City Clerk of the city of Foreman, Arkansas, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance takes effect, the provisions shall be controlling in the construction, alteration, maintenance or removal of all electric wiring and apparatus within the corporate limits of the city of Foreman. (Ord. No. 68, Sec. 1.)

11.12.02 Appointment of the Inspector There is hereby created the office of Electrical Inspector who shall be appointed by the Mayor, subject to the confirmation of the City Council.

The Electrical Inspector shall have had at least two (2) years experience as an electrician, shall be of good moral character, shall be versed in the approved methods of electrical construction for safety of life and property and the National Electric Code. He shall receive such compensation as the Council may decide. (Ord. No. 68, Sec. 2.)

11.12.03 Duties. The Electrical Inspector, who for the purpose of this ordinance shall be known as the City Electrician, and hereinafter referred to as such, shall have the duty and is hereby authorized, empowered and directed to regulate and determine the placing of electric wires and other appliances for electric lights, heat or power in the city of Foreman and to cause all such wires, appliances, or apparatus to be placed, constructed and guarded so as not to cause fires or accidents, endangering life or property, and to be constructed so as to keep to a minimum the loss or waste of electric current.

It shall be the duty of the City Electrician to enforce all provisions of this ordinance and he is hereby granted the authority to enter all buildings in the city of Foreman in the performance of his duties between the hours of 8:00 a.m. and 5:00 p.m. daily, except that in emergency and within the limits of reason, the City Electrician may enter buildings for such purposes at other than the designated hours.

It shall be the duty of the City Electrician to inspect and/or test all electrical work and equipment or apparatus for compliance with the code. Whenever electric wiring, appliances or apparatus shall be defective or hazardous through improper manufacture or improper or insufficient insulation or for any other reason, he shall at once cause the removal of such defect or defects, at the expense of the owners of such wiring, appliance or apparatus. (Ord. No. 68, Sec. 3.)

11.12.04 Permits. No installation, alteration or removal shall be made in or of the wiring of any building or structure for light, heat or power or to increase the load of energy carried by such wires or equipment, nor shall any building or structure be wired for electric lights, appliances, motors, apparatus or heating devices nor alterations be made thereto without a written permit therefore being first obtained from the city license issuing clerk by the person, firm or corporation having direct charge of such installation, alteration or removal. (Ord. No. 68, Sec. 4.)

11.12.05 Penalties Any person, firm or corporation found guilty violating any of the provisions of this ordinance shall be subject to a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) together with the costs of such prosecution, or by imprisonment. Each day during which violation continues shall be a separate offense. (Ord. No. 68, Sec. 5.)

11.12.06 License to individual Any individual desiring to perform his own electrical work personally shall not be required to make the required bond or to obtain the required license, but shall be required to obtain the regular permit for that particular job. Such work done by an individual must be done by him personally on his own particular job and not be a way of performing a service to the public generally. (Ord. No. 68, Sec. 6.)

CHAPTER 11.16

FIRE PREVENTION CODE

Sections:

11.16.01	Adoption of Fire Prevention Code
11.16.02	Enforcement
11.16.03	Definitions
11.16.04	Establishment of districts in which storage of flammable liquids in outside above ground tanks, bulk storage of liquified petroleum gases and storage of explosives and blasting agents is to be restricted
11.16.05	Modifications
11.16.06	Appeals
11.16.07	Penalties

11.16.01 Adoption of Fire Prevention Code. There is hereby adopted by the city of Foreman, Arkansas, for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, that certain code known as the Fire Prevention Code, Abbreviated Edition, recommended by the American Insurance Association, being particularly the Abbreviated Edition thereof and the whole thereof, save and except such portions as are hereinafter deleted, modified or amended (by 11.16.05 of this ordinance), of which code not less than three (3) copies have been and are now filed in the office of the City Clerk for public record and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling within the corporate limits of the municipality. (Ord. No. 14, Sec. 1.)

11.16.02 Enforcement. The code hereby adopted shall be enforced by the Chief of the Fire Department. (Ord. No. 14, Sec. 2.)

11.16.03 Definitions Whenever the word "Municipality" is used in the code hereby adopted, it shall be held to mean the city of Foreman, Arkansas. (Ord. No. 14, Sec. 3.)

11.16.04 Establishment of districts in which storage of flammable liquids in outside above ground tanks, bulk storage of liquified petroleum gases and storage of explosives and blasting agents is to be restricted. The limits referred to in Section 53b of the code hereby adopted in which storage of explosives and blasting agents is prohibited, the limits referred to in Section 74a of the code hereby adopted, in which bulk storage of Class I liquids in outside aboveground tanks is prohibited, and the limits referred to in Section 114 of the code hereby adopted, in which bulk storage of liquefied petroleum gas is restricted, are hereby established as follows:

- A. The area designated by the Municipality as the Central Business District;

- B. Within fifteen hundred (1500) feet of any dwelling structure in any built up area within the corporate limits of the Municipality;

with the exception of outside above ground tanks for the storage of flammable liquids or for the bulk storage of liquefied petroleum gases having been located in such designated areas prior to the adopting date of this ordinance; provided, however, that the Fire Chief shall inspect such facilities and issue a letter of "Modification" as hereinafter set forth in Section 11.16.05. (Ord. No. 14, Sec. 4.)

11.16.05 Modifications. The Chief of the Fire Department shall have the power to modify any of the provisions of the code hereby adopted upon application, in writing by the owner or lessee, or his duly authorized agent, when there are practical difficulties in carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done. The particulars of such modification when granted or allowed and the decisions of the Chief of the Fire Department thereon shall be entered upon the records of the department and a signed copy shall be furnished the applicant. (Ord. No. 14, Sec. 5.)

11.16.06 Appeals. Whenever the Chief of the Fire Department shall disapprove an application or refuse to grant a permit applied for, or when it is claimed that the provisions of the code do not apply or that the true intent and meaning of the code have been misconstrued or wrongly interpreted, the applicant may appeal from the decision of the Chief of the Fire Department to the governing body of the municipality within thirty (30) days from the date of the decision appealed. (Ord. No. 14, Sec. 6.)

11.16.07 Penalties. Any person who shall violate any of the provisions of the code hereby adopted or fail to comply therewith, or who shall violate or fail to comply with any order made thereunder, or who shall build in violation of any detailed statement of specifications or plans submitted and approved thereunder, or any certificate or permit issued thereunder, and from which no appeal has been taken, or who shall fail to comply with such an order as affirmed or modified by the governing body of the Municipality or by a court of competent jurisdiction, within the time fixed herein, shall severally for each and every such violation and noncompliance respectively, be guilty of a misdemeanor, punishable by a fine of not less than Ten Dollars (\$10.00) nor more than One Hundred Dollars (\$100.00) or by imprisonment for not less than three (3) days nor more than thirty (30) days or by both such fine and imprisonment. The imposition of one (1) penalty for any violation shall not excuse the violation or permit it to continue; and all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified, each ten (10) days that prohibited conditions are maintained shall constitute a separate offense.

The application of the above penalty shall not be held to prevent the enforced removal of prohibited conditions. (Ord. No. 14, Sec. 7.)

CHAPTER 11.20

HOUSING CODE

Sections:

11.20.01	Adoption of
11.20.02	Building Official
11.20.03	Board of Appeals
11.20.04	Duties of Building Official
11.20.05	Right of entry
11.20.06	Saving clause

11.20.01 Adoption of. There is hereby adopted by the City Council of the city of Foreman, Arkansas, that certain code of health and housing standards known as the Southern Standard Housing Code, of which not less than three (3) copies have been and are now filed in the office of the Clerk of the city of Foreman, Arkansas, and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling on all dwellings and premises within the corporate limits of Foreman, Arkansas. (Ord. No. 12, Sec. 1.)

11.20.02 Building Official.

- A. The office of Building Official is hereby created.
- B. The Building Official shall be appointed by the Mayor subject to confirmation of the City Council. His appointment shall continue during good behavior and satisfactory service. He shall not be removed from office except for cause after full opportunity has been given him to be heard on specific charges. (Ord. No. 12, Sec. 2.)

11.20.03 Board of Appeals.

- A. There is hereby created a Board of Housing Appeals which shall consist of five (5) members appointed by the Mayor and subject to confirmation of the City Council of the city of Foreman, Arkansas. One member shall be appointed to serve one (1) year, two members to serve two (2) years, and two members to serve three (3) years.
- B. This Board shall act by majority vote of the members present.
- C. Said Board shall have the power and be required to hold public hearings in deciding appeals where it is alleged there is an error in law or fact in any order or decision of the Building Official in the enforcement of this ordinance. (Ord. No. 12, Sec. 3.)

11.20.04 Duties of Building Official. It shall be the duty of the Building Official to enforce all laws and provisions specified in the herein adopted Southern Standard Housing Code. (Ord. No. 12, Sec. 4.)

11.20.05 Right of entry. The Building Official, in the discharge of his official duties, and upon proper identification, shall have the authority to enter any building, structure or premises at any reasonable hour. (Ord. No. 12, Sec. 5.)

11.20.06 Saving clause Nothing in this ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred, nor any cause or causes of action accrued or existing, under any act or ordinances repealed hereby, nor shall any right or remedy of any character be lost, impaired or affected by this ordinance. (Ord. No. 12, Sec. 6.)

CHAPTER 11.24

CONDEMNED STRUCTURES

Sections:

11.24.01	Unlawful
11.24.02	Condemnation required
11.24.03	Description of property, reason for condemnation
11.24.04	Notice
11.24.05	Removal
11.24.06	Duties of Building Inspector
11.24.07	Proceeds of sale
11.24.08	Enforcement of lien
11.24.09	Penalty
11.24.10	Judicial condemnation, penalty, previous sections applicable

11.24.01 Unlawful. That is shall be and it is hereby declared to be unlawful for any person or persons, partnership, corporation or association to own, keep or maintain any house, building and/or structure within the corporate limits of the city of Foreman, Arkansas, which constitutes a nuisance and which is found and declared to be a nuisance by resolution of the City Council. (Ord. No. 151, Sec. 1.)

11.24.02 Condemnation required. That any such house, building and/or structure which is found and declared to be a nuisance by resolution of the City Council will be condemned to insure the removal thereof as herein provided. (Ord. No. 151, Sec. 2.)

11.24.03 Description of property, reason for condemnation. That the resolution of the City Council condemning any house, building and/or structure which constitutes a nuisance will

include in said resolution an adequate description of the house, building and/or structure, the name or names, if known, of the owner or owners thereof and shall set forth the reason or reasons said house, building and/or structure is or has been condemned as a nuisance. (Ord. No. 151, Sec. 3.)

11.24.04 Notice. After a house, building and/or structure has been found and declared to be a nuisance and condemned by resolution as herein provided, a true or certified copy of said resolution will be mailed to the owner or owners thereof, if the whereabouts of said owner or owners be known or their last known address be known, and a copy thereof shall be posted in a conspicuous place on said house, building and/or structure. Provided, that if the owner or owners of said house, building and/or structure be unknown, the posting of the copy of said resolution as hereinabove provided will suffice as notice. (Ord. No. 151, Sec. 4.)

11.24.05 Removal. If the house, building and/or structure constituting a nuisance has not been torn down and removed or said nuisance otherwise abated within thirty (30) days after posting the true copy of the resolution at a conspicuous place on said house, building and/or structure constituting the nuisance, it will be torn down and/or removed by the Building Inspector or his duly designated representative. (Ord. No. 151, Sec. 5.)

11.24.06 Duties of Building Inspector. The Building Inspector or any other person or persons designated by him to tear down and remove any such house, building and/or structure constituting a nuisance will insure the removal thereof and dispose of the same in such a manner as deemed appropriate in the circumstances and to that end may, if the same have a substantial value, sell said house, building and/or structure, or any saleable material thereof, by public sale to the highest bidder for cash, ten (10) days' notice thereof being first given by one publication in some newspaper having a general circulation in the city, to insure its removal and the abatement of the nuisance. (Ord. No. 151, Sec. 6.)

11.24.07 Proceeds of sale. All the proceeds of the sale of any such house, building and/or structure, or the proceeds of the sale of saleable materials therefrom and all fines collected from the provisions of this ordinance shall be paid by the person or persons collecting the same to the City Treasurer. If any such house, building and/or structure, or the saleable materials therefrom be sold for an amount which exceeds all costs incidental to the abatement of the nuisance (including the cleaning up of the premises) by the city of Foreman, Arkansas, plus any fine or fines imposed, the balance thereof will be returned by the City Treasurer to the former owner or owners of such house, building and/or structure constituting the nuisance. (Ord. No. 151, Sec. 7.)

11.24.08 Enforcement of lien. If the city has any net costs in removal of any house, building and/or structure, the city shall have a lien on the property as provided by Section 1 of Act 8 of 1983. The lien may be enforced in either one of the following manners:

- A. The lien may be enforced at any time within eighteen (18) months after work has been done, by an action in the Chancery Court; or

- B. The amount of the lien herein provided may be determined at a hearing before the governing body of the municipality held after thirty (30) days' written notice by certified mail to the owner or owners of the property, if the name and whereabouts of the owner or owners be known, and if the name of the owner or owners cannot be determined, then only after publication of notice of such hearing in a newspaper having a bona fide circulation in the county wherein the said property is located for one (1) insertion per week for four (4) consecutive weeks, the determination of said governing body being subject to appeal by the property owner in the Chancery Court, and the amount so determined at said hearing, plus ten percent (10%) penalty for collection, shall be by the governing body of the municipality certified to the tax collector of the county wherein said municipality is located, and by him placed on the tax books as delinquent taxes, and collected accordingly, and the amount, less three percent (3%) thereof, when so collected shall be paid to the municipality by the County Tax Collector. (Ord. No. 151, Sec. 8.)

11.24.09 Penalty. A fine of Fifty Dollars (\$50.00) is hereby imposed against the owner or owners of any house, building and/or structure found and declared to be a nuisance by resolution of the City Council of the city of Foreman, Arkansas, thirty (30) days after the same has been so found and declared to be a nuisance and for each day thereafter said nuisance be not abated constitutes a separate and distinct offense punishable by a fine of Fifty Dollars (\$50.00) for each said separate and distinct offense, provided the notice as herein provided in Section 11.24.04 hereof has been given within ten (10) days after said house, building and/or structure has been by resolution found and declared to be a nuisance. (Ord. No. 151, Sec. 9.)

11.24.10 Judicial condemnation, penalty, previous sections applicable. In the event it is deemed advisable by the City Council of the city of Foreman, Arkansas, that a particular house, building and/or structure be judicially declared to be a nuisance by a court having jurisdiction of such matters, the City Council is hereby authorized to employ an attorney to bring such an action for said purpose in the name of the city, and the only notice to be given to the owner or owners of any such house, building and/or structure sought to be judicially declared to be a nuisance will be that as now provided for by law in such cases in a court of equity or Chancery Court. When any such house, building and/or structure has been declared judicially to be a nuisance by a court of competent jurisdiction, a fine of Fifty Dollars (\$50.00) is hereby imposed against the owner or owners thereof from the date said finding is made by the court and for each day thereafter said nuisance be not abated constitutes a separate and distinct offense punishable by a fine of Fifty Dollars (\$50.00) for each separate and distinct offense. In the event the owner or owners of any such house, building and/or structure judicially found to be a nuisance fails or refuses to abide by the orders of the court, the Building Inspector or any other person or persons referred to in Section 11.24.06 of this ordinance will take such action as provided in Section 11.24.06 hereof, and Section 11.24.07 of this ordinance will be applicable to such owner or owners. The provisions contained in the immediately preceding sentences apply independently of any action as may be taken by the court judicially declaring the nuisance. (Ord. No. 151, Sec. 10.)

CHAPTER 11.28

BUILDING CODE

Sections:

- 11.28.01 Adoption of Building Code
- 11.28.02 Establishment of office of Building Official
- 11.28.03 Duties of Building Official
- 11.28.04 Right of entry
- 11.28.05 Definitions
- 11.28.06 Fire limits established
- 11.28.07 Saving clause

11.28.01 Adoption of Building Code. There is hereby adopted by the City Council of the city of Foreman, Arkansas, for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, that certain building code known as the National Building Code, Abbreviated Edition, recommended by the National Board of Fire Underwriters, being particularly the _____ edition thereof and the whole thereof, save and except such portion as are hereinafter deleted, modified or amended, of which not less than three (3) copies have been and are now filed in the office of the City Clerk of Foreman, Arkansas and the same are hereby adopted and incorporated as fully as if set out at length herein, and from the date on which this ordinance shall take effect, the provisions thereof shall be controlling in the construction of all buildings and structures therein contained within the corporate limits of the city of Foreman, Arkansas. (Ord. No. 13, Sec. 1.)

11.28.02 Establishment of office of Building Official.

- A. The office of the Building Official is hereby created.
- B. The Building Official shall be appointed by the Mayor and subject to confirmation of the City Council. His appointment shall continue during good behavior and satisfactory service. He shall not be removed from office except for cause after full opportunity has been given him to be heard on specific charges.
- C. During temporary absence or disability of the Building Official, the appointment authority shall designate an acting Building Official. (Ord. No. 13, Sec. 2.)

11.28.03 Duties of Building Official It shall be the duty of the Building Official to enforce all laws relating to the construction, alteration, removal, and demolition of buildings and structures. (Ord. No. 13, Sec. 3.)

11.28.04 Right of entry. The Building Official, in the discharge of his official duties, and upon proper identification, shall have authority to enter any building, structure or premises at any reasonable hour. (Ord. No. 13, Sec. 4.)

11.28.05 Definitions

Municipality shall mean the city of Foreman, Arkansas.

Corporation Counsel shall be mean the Attorney for the city of Foreman, Arkansas. (Ord. No. 13, Sec. 5.)

11.28.06 Fire limits established The fire limits of the city of Foreman, Arkansas, are hereby established as follows: Beginning at _____ to the point of beginning. (Ord. No. 13, Sec. 6.)

11.28.07 Saving clause Nothing in this ordinance or in the code hereby adopted shall be construed to affect any suit or proceeding now pending in any court, or any rights acquired, or liability incurred, nor any cause or causes of motion accrued or existing, under any act or ordinance repealed hereby. Nor shall any right or remedy of any character be lost, impaired or affected by this ordinance. (Ord. No. 13, Sec. 7.)